

1433
VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 05-1018-1505

ELECTIONS: UNIT BB-134
(herein Subject Drilling Unit)

TAX MAP IDENTIFICATION NUMBERS:

Tax map identification numbers for all parcels affected by this order are shown on Exhibit marked "Tract Identifications" which is attached to and a part of this order.

REPORT OF BOARD

FINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on February 2, 2006 which was recorded at Deed Book 963, Page 14 in the Office of the Clerk of the Circuit Court of Tazewell County, Virginia, on February 7, 2006, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (herein "Designated Operator") to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates whether or not the escrow of funds is required with regard to Unit BB-134;

Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Bank & Trust Company PO Box 3860 Kingsport, TN 37664, Attn: Debbie Davis or any successor named by the Board to establish interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the

information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven (7) days from the date of receipt of this Order.

Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

Effective Date: This Order shall be effective on the date of its execution.

BK1098PG0407

DONE AND EXECUTED this 14 day of July, 2011, by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert
Chairman, Bradley C. Lambert

DONE AND PERFORMED this 14th day of July, 2011, by Order of the Board.

Rick Cooper
Rick Cooper
(Acting) Principal Executive to the Staff, Virginia Gas and Oil Board

STATE OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 14th day of July, 2011, personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, and appeared Rick Cooper, being duly sworn did depose and say that he is Acting Principal Executive to the Staff of the Virginia Gas and Oil Board that they executed the same and were authorized to do so.

Diane J. Davis
Diane Davis, Notary Public
174394

My commission expires: September 30, 2013



VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in CBM Unit BB-134
VGOB 05-1018-1505 in the Maiden Springs District of Tazewell County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein "Designated Operator") REGARDING
ELECTIONS, ESCROW AND SUPPLEMENTAL ORDER

Anita D. Duty, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Gas Company LLC, as a Pooling Supervisor and is duly authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the designated operator,

That the Order entered on February 2, 2006, by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above, your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who were added as Respondents at the hearing held in the captioned matter; that proof of such mailing has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Abingdon, Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the counties identified above; that said Order was recorded on February 7, 2006;

That the designated operator CNX GAS COMPANY LLC has established procedures to review all mail received and all written documents received other than by mail to ascertain whether parties whose interests have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to the Subject Unit; that the following persons delivered, by mail or otherwise, written elections the Unit Operator, within the thirty day elections period:

None

That Respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of February 2, 2006;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia:

None

OK 1098PG0409

That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator:

See attached Exhibit B-2

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

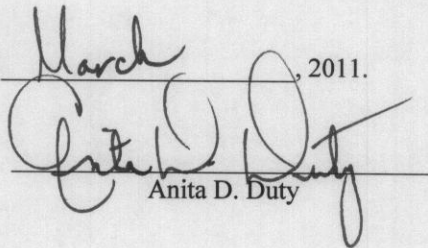
Edith Smith

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

None

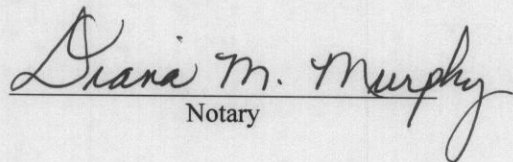
That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Bluefield, West Virginia, this 9th day of March, 2011.


Anita D. Duty

STATE OF WEST VIRGINIA
COUNTY OF MERCER

Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land Resources, Inc., on behalf of the corporate Designated Operator, this 9th day of March, 2011.


Notary

My commission expires: December 4, 2016



BK1098PG0410

PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED BY CNX LAND RESOURCES, Inc. AND WERE NOT SURVEYED.

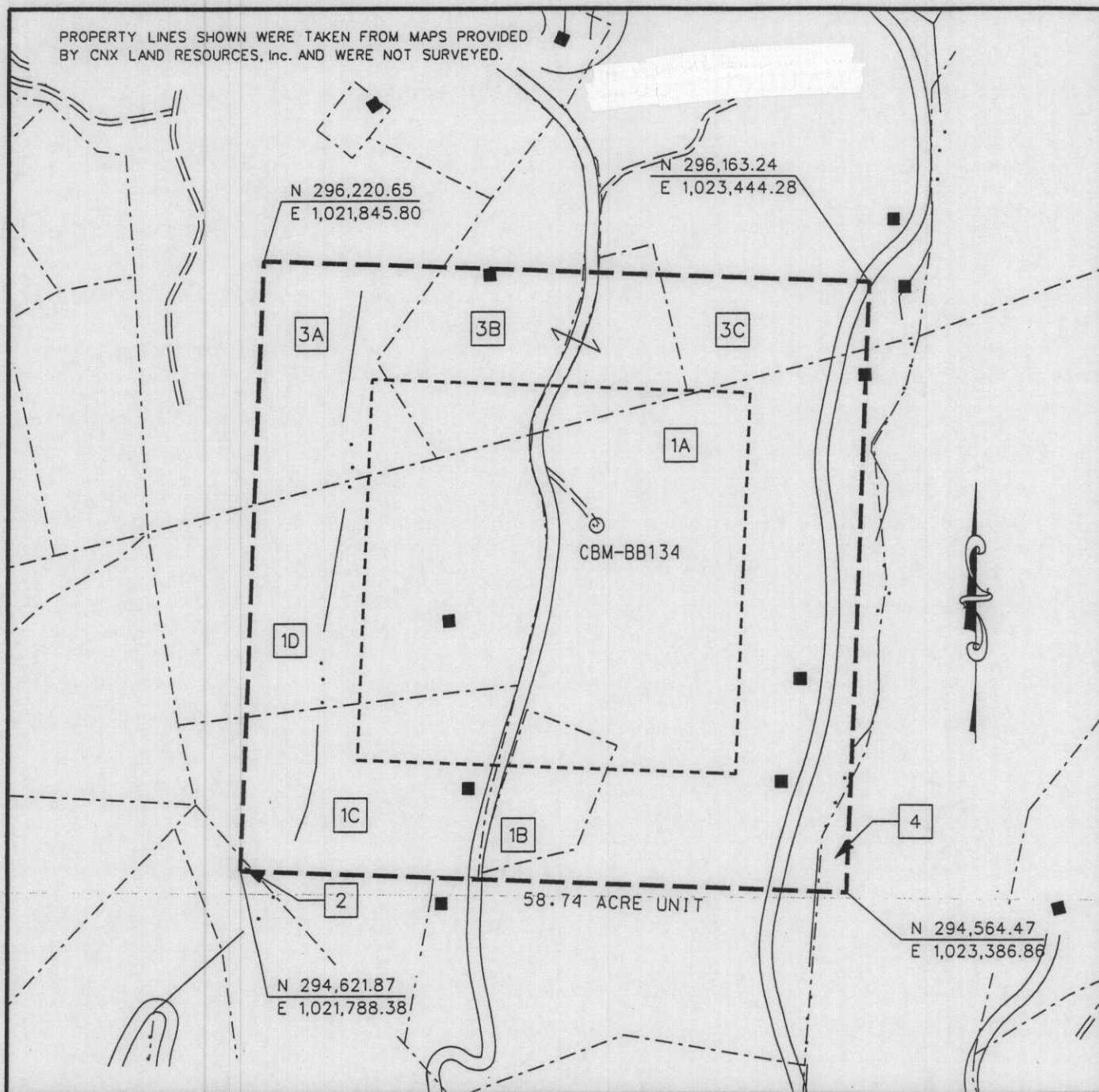


EXHIBIT A
MIDDLE RIDGE 1 FIELD
UNIT BB-134
FORCE POOLING
VGOB-05-1018-1505

Company CNX Gas Company LLC

Well Name and Number UNIT BB134

Tract No. _____ Elevation _____ Quadrangle Basinlands

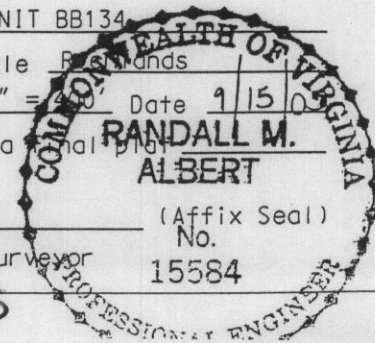
County Tazewell District Maiden Springs

Scale: 1" = 400' Date 9/15/0

This plat is a new plat X ; an updated plat _____ ; or a final plat _____

Form DGO-GO-7
Rev. 9/91

Licensed Professional Engineer or Licensed Land Surveyor



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BK1098PG0411

CNX Gas Company LLC

Unit BB-134

Tract Identifications
(58.74 Acre Unit)

- 1A. Coal Creek Coal Company Tr. 7 (James C. Dickenson 131.33 Acre Tract) – All Minerals
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Tiller Seam Subleased
Reserve Coal Properties Company – Oil and Gas Leased
CNX Gas Company LLC – CBM Leased
Joseph Neil Smith – Surface
23.97 acres 40.8069%

Tax Map #104A0014
- 1B. Coal Creek Coal Company Tr. 7 (James C. Dickenson 131.33 Acre Tract) – All Minerals
except Coal At A Depth Of 200 Feet
Tazewell County Public Service Authority – Coal At A Depth Of 200 Feet
Reserve Coal Properties Company – All Coal Leased except Coal At A Depth Of 200 Feet
Knox Creek Coal Company – Tiller Seam Subleased
Reserve Coal Properties Company – Oil and Gas Leased
CNX Gas Company LLC – CBM Leased
Tazewell County Public Service Authority – Surface
2.06 acres 3.5070%

Tax Map#104A0037A
- 1C. Coal Creek Coal Company Tr. 7 (James C. Dickenson 131.33 Acre Tract) – All Minerals
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Tiller Seam Subleased
Reserve Coal Properties Company – Oil and Gas Leased
CNX Gas Company LLC – CBM Leased
Unknown Surface Owner
6.89 acres 11.7297%

Tax Map#104A1A
- 1D. Coal Creek Coal Company Tr. 7 (James C. Dickenson 131.33 Acre Tract) – All Minerals
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Tiller Seam Subleased
Reserve Coal Properties Company – Oil and Gas Leased
CNX Gas Company LLC – CBM Leased
Horace C. Vanmeter, et ux – Surface
10.46 acres 17.8073%

Tax Map#104A0033
2. Edith Smith – All Minerals
Unknown Surface Owner
0.02 acres 0.0340%

Tax Map#104A2010001A

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BK1098PG0412

CNX Gas Company LLC

Unit BB-134

**Tract Identifications
(58.74 Acre Unit)**

3. Coal Creek Coal Company Tr. 6 (Geo. W. Lockhart 278 Acre Tract) – All Minerals
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Tiller Seam Subleased
CNX Gas Company LLC – Oil, Gas and CBM Leased
14.99 acres 25.5192%

- 3A. Joseph Neil Smith – Surface
3B. Mary France Smith Vandyke – Surface
3C. Joseph Neil Smith – Surface

Tax Map #104A0016D

4. Coal Creek Coal Company Tr. 8 (Thomas A. Gillespie 168.75 Acre Tract – Fee
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Tiller Seam Sublessee
Reserve Coal Properties Company – Oil and Gas Leased
CNX Gas Company LLC – CBM Leased
0.35 acres 0.5958%

Tax Map #104A3A

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BK1098PG0413

Exhibit B-2

Unit BB-134

Docket #VGOB 05-1018-1505

List of all Respondents to be Added/Dismissed

(58.74 Acre Unit)

	Acres in Unit	Interest in Unit	Reason for Dismissal	Reason for Addition
I. COAL OWNERSHIP				
<u>Tract #2, 0.02 acres</u>				
(1) Edith Smith Heirs, Devisees, Successors or Assigns	0.02 acres	0.0340%	Deceased	
(a) Mack Smith 7259 N. Elms Road Flushing, MI 48433	0.01 acres 1/2 of 0.02 acres	0.0170%		Heir
(b) Jackie W. Smith G-3210 N. Term Street Flint, MI 48506	0.01 acres 1/2 of 0.02 acres	0.0170%	Leased	Heir
II. OIL & GAS OWNERSHIP				
<u>Tract #2, 0.02 acres</u>				
(1) Edith Smith Heirs, Devisees, Successors or Assigns	0.02 acres	0.0340%	Deceased	
(a) Mack Smith 7259 N. Elms Road Flushing, MI 48433	0.01 acres 1/2 of 0.02 acres	0.0170%		Heir
(b) Jackie W. Smith G-3210 N. Term Street Flint, MI 48506	0.01 acres 1/2 of 0.02 acres	0.0170%	Leased	Heir

INSTRUMENT #118882483
 RECORDED IN THE CLERK'S OFFICE OF
 TAZEWELL COUNTY ON
 JULY 25, 2011 AT 04:17PM
Angela Ray
 JAMES E. KEVINS, CLERK
 RECORDED BY: ADP

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